form which the author gives the book is fitted to this scheme. The footnotes contain, instead of exhaustive lists of citations, merely references to recognized secondary authorities or to the leading cases reprinted in the volume itself; to the end that attention is not diverted from the argument.

The author's analytical process has the gratifying result of ridding his subject of many inaccuracies. He trenchantly disposes of this or that current, over-general statement, and substitutes freely his own opinions. Under these circumstances it is not surprising that he prunes at times too close. In § 22, for example, he distinguishes between objections to a judgment which are taken in the case in which the judgment is rendered and objections taken collaterally, showing that in the former case a judgment may not stand if it is improper, whereas in the latter it stands against any objection but that of validity, that is, the objection that the court that rendered it had no jurisdiction. He concludes that it is only in the cases of collateral attack that questions of jurisdiction are really decided and that all judicial expressions elsewhere must be *dicta*. His conclusion seems illogical. Suppose, for example, that a defendant appears specially to object to the jurisdiction of the court, or appeals on jurisdictional grounds alone. The only criterion of the propriety of the judgment in question is almost by hypothesis its validity. At some stage in the reasoning the question of validity must be decided; it is therefore necessarily involved.

In some respects the author does not come up to his self-imposed standard. He frequently neglects opportunities to examine and compare. His further treatment of the subject of jurisdiction may be taken by way of illustration. It is *primâ facie* an axiom that a court, when it has no jurisdiction, can do no valid act. Various statements, however, are made in the text which in theory at least seem opposed to this view and the inconsistency is overlooked. For example, the statement is approved in § 26 that "If any jurisdictional question is *debatable* or *colorable*, the tribunal must decide it; and an erroneous conclusion can only be corrected by some proceeding provided by law for so doing, commonly called a direct attack." The principle is not explained by which a court, wherever the question of its jurisdiction is debatable can validate its acts simply by deciding that it has jurisdiction. There seems also in this an inconsistency, in language at least, with the rule laid down in § 58, that "In actions on foreign judgments the defendant may show that the judgment is void because some jurisdictional fact alleged in the record did not exist." See *Van Fossen* v. *The State*, 37 Oh. St. 317. This last passage, moreover, is hard to reconcile satisfactorily with those immediately following, to the effect that statements in the record of a domestic judgment may not be disproved by way of collateral attack even by a stranger to that record. Here, again, acts done by a court without jurisdiction are apparently treated as valid. Considered in this light, cases of this sort would seem to be offered the principle of the rule in § 13, that the correctness of an entry of judgment on the record may be disproved collaterally by showing that no judgment was in fact pronounced. Again, in § 152, the statement that an officer is absolutely protected, even against a stranger, in obeying a writ, fair on its face, commanding him to seize a certain specified thing, seems an unexplained exception to the rule to which such officers are in general subject, that the command of the court excuses only against parties within the court's jurisdiction to bind by the particular command. In short, the author has in these places done no more than made the need for classification more apparent.

Of coördinate importance with the text is the collection of cases, chosen with discretion and edited with clearness.

BRITTON, AN ENGLISH TRANSLATION AND NOTES. By Francis Morgan Nichols, with an introduction by Simeon E. Baldwin. Washington, D. C.: John Byrne & Co. 1901. pp. xxvii, 649. 8vo.

The original, of which this is apparently an excellent translation, is a Norman-French manual of the time of Edward I., founded mostly on Bracton's great

work of the preceding reign. It is in the form of commands put in the mouth of the King, and was perhaps compiled by his direction. The utterly inconclusive evidence as to the identity of the author is discussed in the introduction. However, it seems clear that the book was written after the Statutes *De Donis* (1285) and *Quia Emptores* (1290), but, as the editor remarks, before the effect of these statutes was known. Throughout the work the substantive law is expounded solely by describing the remedies — the natural method until a somewhat advanced stage of legal development is reached. The relative importance of various branches of the law at the end of the thirteenth century is roughly indicated by the fact that all the writer has to say directly about the organization of the courts, the duties of royal officers, and the law of crimes, appeals, torts, contracts, and persons is thrown into the first book. The next five consider the possessory actions concerning land, and the sixth deals with the writ of right. The work as we have it is obviously incomplete. From the general scheme we may, perhaps, judge that the sixth book was the last, but, owing to the unscientific arrangement, it seems impossible to guess how much of it is lost. The whole work will be interesting to all who have a slight acquaintance with legal history and value it either for its own sake or for the important light it throws on modern law. The translator has added many helpful notes and there is a good index. The introduction gives a short synopsis of the work and an estimate of Britton's position in the history of the law.

A STUDY OF THE UNITED STATES STEEL CORPORATION IN ITS INDUSTRIAL AND LEGAL ASPECTS. By Horace L. Wilgus, Professor of Law in the University of Michigan. Chicago: Callaghan and Company. 1901. pp. xiii, 222. 8vo.

This book is made up of lectures delivered by Professor Wilgus to his class in Corporations, and makes very interesting reading at this time when the United States Steel Corporation is so prominently before the public. The author has collected many facts concerning the organization and the industrial position of this corporation, and although the telling necessarily involves many figures, yet it is done so simply and briefly that the reader's interest is sustained throughout. For those who desire more elaborate and technical details, there is a full collection of appendices. Throughout the account one is more and more impressed by the magnitude and extent of the enterprise, by its far-reaching influence and effect, and by the responsibility and power of those who direct its management.

To the sixty-five pages that are devoted to the story of the company, Professor Wilgus adds, in some forty pages, his views on the legality of corporate combinations. The treatment of this subject seems superficial and unsatisfactory and the results seem based on insufficient reasoning. The lack of careful analytical treatment leads the author to pass over easily the difference between the trust, which has often been declared illegal and which has so largely been discarded, and the modern corporation forming its combinations under state authority. So shortly does he dismiss this distinction that he fails to notice many important considerations that make the difference in form very important, although the objects may be the same. As examples of the extremely important results of the corporation form, the greater publicity of its affairs and of its condition and the more direct state control suggest themselves. Certainly the fact that this corporation has been held to be legal by the highest courts of the state under whose laws it was formed would alone seem to call for a more thorough treatment. See *Trenton, etc., Co.* v. *Oliphant*, 58 N. J. Eq. 507. On pages 76–81, the author points out the similarity of the United States Steel Corporation to the Standard Oil Trust by means of prolix parallel columns. This method is far from satisfactory, however, as by cleverness in wording and an enumeration of unimportant details, the important actual distinctions are skilfully passed over or hidden. Certainly it would be much more convincing to point out and deal directly and thoroughly with important essential features.